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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 CHARLES CLARK KEENEY,

13 Defendant.

CASE NO. CR 04-56 P

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

14 INTRODUCTION

15 I conducted a hearing on alleged violations of supervised release in this case on August 10,
16 2005. The United States was represented by Andrew Colasurdo for Janet Freeman. The defendant
17 was represented by Michael Filipovic. The proceedings were recorded on disk.

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19 CONVICTION AND SENTENCE

20 Defendant had been convicted of Bank Robbery on or about April 26, 1999. The Hon.
21 Marsha J. Pechman of this court sentenced Defendant to 63 months of confinement, followed by
22 3 years of supervised release.

23 The conditions of supervised release included requirements that defendant comply with the
24 standard 13 conditions.

25 DEFENDANT'S ADMISSION

26 USPO Calvin Bouma alleged that Defendant violated the conditions of supervised release in
27 five respects:

- (1) Failing to reside in and participate in a community sanction center program on or about March 12, 2005, in violation of the special condition that he participate and reside in a community sanction center for up to 6 months;
- (2) Failing to follow the instructions of the probation officer on March 26, 2005, in violation of standard condition No. 3;
- (3) Failing to follow the instructions of the probation officer on March 31, 2005, in violation of standard condition No. 3;
- (4) Failure to enter an inpatient drug treatment program on or about March 28 and 29, and again on April 1, 2005, in violation of the special condition that he complete a drug treatment program as directed by the probation officer; and
- (5) Using cocaine on or about March 26, 2005 through April 1, 2005, in violation of standard condition No. 7.

At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At today's hearing Defendant admitted the violations Nos.1-5, waived any hearing as to whether they occurred, and consented to having the matter set for a disposition hearing before the Hon. Marsha J. Pechman.

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RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as alleged; and set the matter for a disposition hearing.

Defendant has been detained pending a final determination by the court.

DATED this 11th day of August, 2005.



Monica J. Benton
United States Magistrate Judge

cc: Sentencing Judge	:	Hon. Marsha J. Pechman
Assistant U.S. Attorney	:	Andrew Colasurdo and Janet Freeman
Defense Attorney	:	Michael Filipovic
U. S. Probation Officer	:	Calvin Bouma